

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota
March 14, 15, 16, and 17, 2022

Parole Board meetings were held on March 14, 15, 16, and 17, 2022 various locations in the State of South Dakota. A Full Board meeting was held on Wednesday, March 16, 2022, at the South Dakota State Penitentiary in Sioux Falls commencing 1:09 PM with the following present.

Myron Rau, Board Chair
Gordy Swanson, Vice Chair
Ken Albers, Member
Gregg Gass, Member
Kurt Hall, Member
Peter Lieberman, Member (Zoom)
Shannon Riter – Osborn, Auxiliary Member
Paige Wilbur-Bock, Auxiliary Member (Zoom)
Brad Lewandowski, Director SD Board of Pardons and Paroles
Karena Cassidy, Senior Secretary
Stacy Cole, Corrections Specialist
April Maeschen, Program Assistant I (Zoom)
Val McGovern, Corrections Specialist (Zoom)
Rachel Doyle, Corrections Intern (Zoom)

Quorum Present? Yes

REPRESENTATIONS: Loranda Kenyon, Staff Attorney was available for questions.

SPECIAL GUESTS: Travis Donelan, Transition Case Manager, Tammy Johnson-DeJong Case Manager, and Dusti Werner, Risk Manager, via Zoom. Liz Effling, Corrections Specialists, Lizzie Riggen, Parole Agent, Jeremiah Kendrick, Parole Agent, Drew Smith, Parole Agent, Hector Santiago-Crespo, Parole Agent, Brenna Carlson, SOMP Program Manager, Jeff Haverhals, Kingdom Boundaries Ministries.

AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD (EIGHT MEMBERS) IN SIOUX FALLS
WEDNESDAY, MARCH 16, 2022:

The following offender appeared before the full board for a Parole hearing. Board Member Albers made a motion to grant parole. Vice Chair Swanson seconded the motion. Board Chair Rau, Board Member Lieberman and Auxiliary Member Bock voting nay. All other board members voting aye, the motion carried.

Anthony Gravelle

STATE BOARD OF PARDONS AND PAROLES

Sioux Falls, South Dakota
March 14, 15, 16, and 17, 2022

Parole Board meetings were held on March 14, 15, 16, and 17, 2022 various locations in the State of South Dakota. A Full Board meeting was held on Thursday March 17, 2022, at the South Dakota State Penitentiary in Sioux Falls commencing 8:01 AM with the following present.

Myron Rau, Board Chair
Gordy Swanson, Vice Chair
Ken Albers, Member
Gregg Gass, Member
Kurt Hall, Member
Peter Lieberman, Member (Zoom)
Shannon Riter – Osborn Auxiliary Member
Paige Wilbur - Bock, Auxiliary Member
Brad Lewandowski, Director SD Board of Pardons and Paroles
Karena Cassidy, Senior Secretary
Stacy Cole, Corrections Specialist
April Maeschen, Program Assistant I
Val McGovern, Corrections Specialist

Quorum Present? Yes

REPRESENTATIONS: Loranda Kenyon, Staff Attorney was available for questions.

SPECIAL GUESTS: Tom Lais, Senior Case Manager, Travis Donelan, Transition Case Manager, Nick Nyreen, Case Manager, and Terry Cummings Pierre Senior Secretary, via Zoom. MiRanda Ward, Case Manager, Liz Effling, Corrections Specialists, Lizzie Rikken, Parole Agent, Jerimiah Kendrick, Parole Agent, Drew Smith, Parole Agent, Hector Santiago-Crespo, Parole Agent, Riley DeGroot, Case Manager, Jordan Wilcox, Case Manager, Andrew Rodriguez, Parole Agent, Kayla Stucky, Field Office Director, Brenna Carlson, SOMP Program Manager.

HEARING PANELS: Auxiliary Board Member White Horse - Carda was unavailable Tuesday, March 15, 2022.

MINUTES: Vice Chair Swanson made a motion to approve the minutes from the February 2022 meeting of the Board. Board Member Albers seconded the motion. All members voting aye; the motion carried.

AGENDA ITEMS:

APPEARED/REVIEWED BEFORE THE FULL BOARD (EIGHT MEMBERS) IN SIOUX FALLS THURSDAY, MARCH 17, 2022:

The following offender appeared before the full board for a Parole hearing for a case review. Haase's parole conditions will continue to remain in effect. *-Continue in CTP -May utilize only pre-approved routes to home and work. -Polygraph in 60 days, then a review by board. -No unauthorized calls or other contact with former or current DOC staff. -Zero tolerance for any violations of parole or SOMP contract. Any violation is a violation of parole. -Must be Chaperoned while in the community excluding work and treatment.* He will be revied in May 2022.

Troy Haase

The following offender appeared before the full board for a Parole hearing. Board Member Lieberman made a motion to grant parole. Board Member Gregg seconded the motion. Board Members Hall, Albers and Auxiliary Members Riter Osborn and Wilbur Bock voting nay, all board members voting aye, the motion died. Board Member Albers made a subsequent motion to deny parole and set out 6 months. Auxiliary Member Riter Osborn seconded the motion. Chair Rau, Vice Chair Swanson, Board members Gass and Lieberman voting nay, all others voting aye, the motion died. Board Member Gass made a third motion to deny and set out 3 months. Vice Chair Swanson seconded the motion. Board Member Gass amended his motion to set out 2 months and go directly to the Full Board. Vice Chair Swanson seconded the amended motion. Board Member Albers voting nay, all others voting aye, the motion carried.

Tanner Garreau

The following offender appeared before the full board for a Parole hearing. Auxiliary Board Member Riter Osborn made a motion to grant parole. Vice Chair Swanson seconded the motion. Board Members Hall, Lieberman, Albers and Auxiliary Board Member Wilbur Bock voting nay, all other board members voting aye, the motion died. Board Member Albers made a subsequent motion to deny parole and set out to suspended sentence release date. Board Member Lieberman seconded the motion. Board Chair Rau, Vice Chair Swanson, Board Member Gass, and Auxiliary Board Member Riter Osborn voting nay, all others voting aye, the motion died. Board Member Gass made a third motion to grant parole. Auxiliary Riter Osborn seconded the motion. Board Members Lieberman and Albers voting nay, all others voting aye, the motion carried.

Theresa Bentaas

The following offender appeared for a paper review by the full board for an early/partial discharge. Board Member Hall made a motion to grant partial discharge of 2 years. Auxiliary Board Member Riter Osborn seconded the motion. Vice Chair Swanson was unavailable, all other members voting aye, the motion carried.

Kevin Beaner

The following offender appeared for a paper review by the full board for an early/partial discharge. Board Member Gass made a motion to grant partial discharge of 4 years. Auxiliary Board Member Wilbur Bock seconded the motion. Vice Chair Swanson was unavailable, all other members voting aye, the motion carried.

Theresa Johnson

The following offender appeared for a paper review by the full board for an early/partial discharge. Board Member Lieberman made a motion to grant partial discharge of 6 years. Auxiliary Board Member Riter Osborn seconded the motion. Vice Chair Swanson and Auxiliary Board Member Wibur Bock were unavailable, all other members voting aye, the motion carried.

Gene New Holy

DIRECTOR'S REPORT: Director Lewandowski was available and updated the board on the following: Parole Board Office Board Members Ed Ligtenberg and Rev. Patricia White Horse-Carda resigned from the board effective January 2022. Board Member Ken Albers was reappointed by Governor Noem and confirmed by the Senate in February. Rev. White Horse-Carda's position remains unfilled. Faulk County Sheriff Kurt Hall was appointed to the board by AG Ravnsborg to fill the vacancy left by Board Member Ligtenberg. Kurt attended hearings and began training in February. His confirmation went before the Senate Judiciary Committee on 3/3 and they recommended "advise and consent to appointment" 6-0. This appointment will be on the Senate floor on 3/7. Board Chair Rau is making plans to attend the annual APAI conference in May 2022 in San Diego. The board met with Warden Sullivan during the Full Board session and talked about institutional updates. Board Attorney Catherine Schlingens last day was 1/21/22; DOC Attorney Loranda Kenyon is covering her duties until a replacement is hired. The office received 18 pardon applications in February and hearings are being scheduled two months out. The governor took no clemency actions in February; there are currently three commutations and 42 pardons pending a final action from the Governor. Board staff have finished helping the institution with GTL phone list requests. Supervisor Traci Fredrikson celebrated 16 years with the State on 2/11/22. The commutation paper review process was enhanced to include reasons for denial, board staff interviews prior to the paper review, and use of the SDMF tool during the review. Board staff have been working on completing job manuals and will then spend time crosstraining with their counterparts (two corrections specialists, two program assistants, two senior secretaries).

DIRECTOR OF FIELD SERVICES REPORT: Kayla Stucky was available and updated the board on the following: Parole Board Office Southeast Region Staff Update: Agents utilized in the SE have a caseload average of 62.11. Agents utilized in the SE have a workload average of 98.61%. Current staffing: 1 vacant agent position, 1 vacant specialist position, 1 vacant secretary position. Two agents in training (SF); 1 secretary in training (SF); 1 agent on light duty. Specialist Davis resigned prior to returning from an extended leave. Her official last day with the state was 2/14/22. Amanda Schaefer transitioned from an agent to this vacant specialist position. Amanda's agent position has been listed. Support Staff Neels resigned prior to returning from an extended leave. Her official last day with the State was 2/13/22. Agent Hansen (Yankton) submitted his resignation effective March 11. Specialist Eric Rempfer (SF) has been approved to transfer from Sioux Falls to Yankton to fill the vacant agent position. Specialist Rempfer will complete firearms training and agent RBT training with the new hire position listed above. Rempfer's specialist position has been posted. Parole agent specialists continue conducting the Moving On class. The Southeast Region supervised 16 extended confinement cases. Northeast Region Staff Update: Agents utilized in the NE Region have an average caseload of 58.04. Agents utilized in the NE have an average workload of 87.55%. Current staffing: 1 vacant agent position (Pierre), 2 agents in training (Mitchell, Aberdeen), 1 agent on extended leave; 1 support staff in training. Agent Uhrig (Pierre) resigned 2/8/2022. This position has been listed. Supervisor Carrels has assumed the second caseload in Pierre. Juvenile Corrections Agent Thury assists with supervision of 10 cases in the Watertown office. Juvenile Corrections Agent Shawn Davis is assisting with the supervision of 11 cases in the Mitchell office. The Northeast Region supervised 17 extended confinement cases. West Region Staff Update: Agents utilized in the West Region have an average caseload of 60.57. Agents utilized have an average workload of 88.17%. Current staffing: 2 agents in training (Rapid City). Agent Taylor Santana successfully completed her probationary period 2/24/22. Parole agent specialists continue conducting the Moving On class.

Parole Specialist Rachel Steinbauer continues to meet with offenders in the parole office weekly to go over basic life skills as well as interview skills and how to apply for jobs. The West Region supervised 12 extended confinement cases.

Break 9:51 – 10:19

LEGAL ISSUES: Loranda Kenyon was available and provided the following updates for the board:

- Legislative updates

BOARD TRAINING: A tour of South Dakota State Penitentiary Campus.

RECUSALS:

Auxiliary Member Riter Osborn recused from Chad DuBois Parole Hearing.

DECISIONS: Board Member Albers made a motion to ratify and affirm all decisions: Auxiliary Board Member Riter Osborn seconded the motion. All members voting aye; the motion carried.

ATTACHMENTS – DECISIONS: Please refer to the attached listing entitled Board Decisions for all parole violations, suspended sentence violations, non-compliance, discretionary parole, earned discharge, and rescission decisions made by the Board this month.

ADJOURNMENT: The meeting adjourned at 10:47 AM, Thursday, March 17, 2022. The next board meeting is scheduled for April 14, 2022, at 8:00 a.m.

SD BOARD OF PARDONS AND PAROLES

Myron Rau, Board Chair or Gordon Swanson, Vice Chair

Brad Lewandowski, Director

Submitted by:
Karena Cassidy
Senior Secretary